

HOUSE No. 2001

The Commonwealth of Massachusetts

PRESENTED BY:

Denise Provost

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to snow and ice removal.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Denise Provost	27th Middlesex
Patricia D. Jehlen	Second Middlesex
David B. Sullivan	6th Bristol
Richard J. Ross	9th Norfolk
Cory Atkins	14th Middlesex
William N. Brownsberger	24th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1987 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO SNOW AND ICE REMOVAL.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 85 is hereby amended by inserting after Section 5 the following sections:

2 Section 5A: The general court determines that it is desirable for cities and towns to enact ordinances or
3 bylaws requiring abutters to remove snow or ice from sidewalks and that it is undesirable for any person
4 to be found liable for damages due to his or her efforts in the removal of snow or ice from such sidewalks
5 pursuant to such an ordinance or bylaw, except for acts which amount to clear wrongdoing, as described
6 in Chapter 85, Section 5B.

7 Section 5B: Any person who is required by any municipal ordinance or bylaw to remove snow or ice from
8 sidewalks, or any agent of or other person engaged by any such person, who removes or attempts to
9 remove snow or ice from sidewalks abutting the property shall not be liable for any personal injuries
10 allegedly caused by the snowy or icy condition of the sidewalk resulting from his or her acts or omissions
11 unless such acts or omissions amount to gross negligence.